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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 THOMAS REED,

10 Plaintiff,

11 v.

12 MICHAEL J. ASTRUE, Commissioner of  
13 Social Security,

14 Defendant.

Case No. C11-5922-MJP-BAT

**REPORT AND  
RECOMMENDATION**

15 Thomas Reed filed an action seeking review of the denial of Social Security benefits on  
16 November 9, 2011. Dkt. 1. On March 9, 2011, he moved to remand the matter under sentence  
17 six of 42 U.S.C. §405(g). Dkt. 18. Mr. Reed contends the matter should be remanded because  
18 the Appeals Council did not acknowledge receiving or considering Labor and Industry records  
19 he submitted in seeking review of the Administrative Law Judge's decision. On April 13, 2012,  
20 the Commissioner filed a response stipulating to Mr. Reed's sentence six remand motion. Dkt.  
21 23.

22 Having reviewed the parties' pleadings, the Court recommends:

23 (1) The motion to remand under sentence six (Dkt. 18) be **GRANTED**.

(2) On remand, the Commissioner shall supplement the record with the additional

1 Labor and Industry records and letters that Mr. Reed submitted in this cause  
2 (docket entries 14, 15, 16, 21, 22), reconsider his previous final decision, and  
3 issue a new decision.

4 (3) This Court will retain jurisdiction over the action pending further administrative  
5 development of the record. *See Melkonyan v. Sullivan*, 501 U.S. 89, 101-02  
6 (1991).

7 (4) Plaintiff's previously filed Motion to Supplement the Record 9Dkt. 14) be  
8 **DENIED** as moot.

9 As the parties stipulate to remand, the Court recommends that if this recommendation is  
10 adopted, it be approved immediately. A proposed order accompanies this Report and  
11 Recommendation.

12 DATED this 17th day of April, 2012.

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15 BRIAN A. TSUCHIDA  
16 United States Magistrate Judge  
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